

ESTTA Tracking number: **ESTTA213657**

Filing date: **05/27/2008**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

## Notice of Opposition

Notice is hereby given that the following party opposes registration of the indicated application.

### Opposer Information

Name	Logitech International S.A.
Granted to Date of previous extension	05/25/2008
Address	Les Chatagnis Apples, CH-1143 SWITZERLAND

Domestic Representative	CYNTHIA R. ADWERE Howrey LLP 1950 University Avenue, 4th Floor East Palo Alto, CA 94303 UNITED STATES IPDOCKETING@HOWREY.COM,ADWEREC@HOWREY.COM Phone:(650) 798-3527
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### Applicant Information

Application No	77037774	Publication date	11/27/2007
Opposition Filing Date	05/27/2008	Opposition Period Ends	05/25/2008
International Registration No.	NONE	International Registration Date	NONE
Applicant	ASSA ABLOY IDENTIFICATION TECHNOLOGIES SWITZERLAND S.A. RTE PRA-CHARBON 27 GRANGES (VEVEYSE), CH-1614 SWITZERLAND		

### Goods/Services Affected by Opposition

Class 009. All goods and services in the class are opposed, namely: Transponders, radio frequency identification tags and/or radio frequency identification tag readers; identification devices consisting of an assembly of an electronic circuit and an antenna contained in a housing; transponders mounted on cards and tags made from plastic, paper or cardboard
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### Grounds for Opposition

Priority and likelihood of confusion	Trademark Act section 2(d)
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### Marks Cited by Opposer as Basis for Opposition

U.S. Registration No.	1969025	Application Date	06/29/1987
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Registration Date	04/23/1996	Foreign Priority Date	NONE
Word Mark	LOGITECH		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 009. First use: First Use: 1982/10/00 First Use In Commerce: 1982/10/00 COMPUTER PERIPHERALS AND COMPUTER PROGRAMS, NAMELY ELECTRONIC MICE, [ COMPUTER-AIDED DESIGN PROGRAMS, HIGH LEVEL PROGRAMMING LANGUAGES, ] AND MANUALS SOLD WITH SUCH GOODS AS A UNIT		

U.S. Registration No.	2507301	Application Date	01/31/1997
Registration Date	11/13/2001	Foreign Priority Date	NONE
Word Mark	LOGITECH		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 009. First use: First Use: 1997/03/03 First Use In Commerce: 1997/03/03 Computer programs for producing musical sounds; computer programs for use in connection with image manipulation for use with digital cameras; computer operating programs to provide an interface between a personal computer or workstation or computer peripherals; computer programs, computer hardware, and instruction manuals therefore sold together as a unit for use in recording, editing and playing interactive and/or three-dimensional videos; computer hardware, computer programs and instruction manuals therefore sold together as a unit for use in connection with electronic transmission of video, audio and data across wide area and local area computer networks; computer peripherals and instruction manuals therefore sold together as an unit, namely, computer game and video game joysticks, video game controllers, electronic mice, trackballs, digital cameras		

U.S. Registration No.	2835047	Application Date	12/03/2001
Registration Date	04/20/2004	Foreign Priority Date	NONE
Word Mark	LOGITECH		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 009. First use: First Use: 1982/10/00 First Use In Commerce: 1982/10/00 Computer software and instruction manuals packaged as a unit therewith, namely, computer programs for use in connection with image manipulation and computer programs for producing sound, computer programs for controlling images, computer programs for use in connection with image manipulation for digital cameras, computer programs to provide an interface between a personal computer or workstation and peripherals therefore and computer programs for use in computer graphics; computer programs, computer hardware and instruction manuals packaged as a unit therewith, namely, microphones, headsets, headphones, multimedia speakers; computer hardware, computer programs and instruction manuals packaged as a unit therewith for use in		

	connection with electronic transmission of video, audio and data across local area, wide area and global computer networks; computer peripherals and instruction manuals packaged as a unit therewith, namely joysticks, video game controllers, remote controls, keyboards, mice, trackballs and digital cameras; telephony equipment, namely microphones, headsets and headphones
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Related Proceedings	None
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Attachments	75234528#TMSN.gif ( 1 page )( bytes ) 76344616#TMSN.gif ( 1 page )( bytes ) pleading.pdf ( 12 pages )(315932 bytes )
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### Certificate of Service

The undersigned hereby certifies that a copy of this paper has been served upon all parties, at their address record by First Class Mail on this date.

Signature	/cynthia r. adwere/
Name	CYNTHIA R. ADWERE
Date	05/27/2008

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

In re Application of:	§	
Assa Abloy Identification	§	
Technologies Switzerland S.A.	§	
	§	International Class: 9
Serial No.: 77/037,774	§	
	§	Published: November 27, 2007
Filed: November 6, 2006	§	
	§	
Mark: LOGI TAG	§	

Box TTAB FEE  
Commissioner for Trademarks  
P. O. Box 1451  
Alexandria, VA 22313-1451

**NOTICE OF OPPOSITION**

Sirs:

Logitech International S.A., a Swiss corporation, having its principal place of business at Les Chatagnis, Apples, CH-1143, Switzerland (“Opposer”), will be damaged by the registration of the mark shown in Application Serial No. 77/037,774 filed by Assa Abloy Identification Technologies Switzerland S.A. (“Applicant”), and Opposer hereby opposes this application under the provisions of 15 U.S.C. § 1063 (as amended). The Commissioner for Trademarks is hereby authorized to draw on the deposit account No. 08-3038, Order No. 13741.0001.000000/Adwere for any necessary fees.

Application Serial No. 77/037,774 was filed on November 6, 2006 for the mark LOGI TAG for “*transponders, radio frequency identification tags and/or radio frequency identification tag readers; identification devices consisting of an assembly of an electronic circuit and an antenna contained in a housing; transponders mounted on cards and tags made from plastic,*

*paper or cardboard*” in International Class 9. The application was published for opposition on November 27, 2007.

An extension of time has been obtained up until May 25, 2008. Therefore, this Opposition is timely.

As grounds for the opposition, it is alleged that:

1. Opposer manufactures and sells a wide variety of computer peripherals, hardware and computer-related products.
2. Opposer has adopted and has used its LOGITECH Marks (registration nos. 1969025, 2507301 and 2835047) on its products sold in the U.S. since at least as early as October 1982.
3. Through its sales and advertising, Opposer has developed extensive goodwill throughout the United States with respect to the LOGITECH Marks as used on and in connection with computer-related products, hardware and computer peripherals.
4. The term LOGITECH is inherently and highly distinctive inasmuch as it is a coined term.
5. Opposer is the owner of record of United States Registration No. 1969025 of April 23, 1996 (filed June 29, 1987) for the LOGITECH word mark designating “*computer peripherals and computer programs, namely electronic mice, and manuals sold with such goods as a unit*” in International Class 9. This registration is currently valid and subsisting, and this registration is incontestable. A true and correct copy of this registration is appended to this Notice of Opposition as Exhibit A.
6. Opposer is the owner of record of United States Registration No. 2507301 of November 13, 2001 (filed January 31, 1997) for LOGITECH & Design designating “*computer*

*programs for use in connection with image manipulation for use with digital cameras; computer operating programs to provide an interface between a personal computer or workstation or computer peripherals; computer programs, computer hardware and instruction manuals therefore sold together as a unit for use in recording, editing and playing interactive and/or three-dimensional videos; computer hardware, computer programs and instruction manuals therefore sold together as a unit for use in connection with electronic transmission of video, audio and data across wide area and local area computer networks; computer peripherals and instruction manuals therefore sold together as an unit, namely, computer game and video game joysticks, video game controllers, mice, trackballs, digital cameras” in International Class 9.*

This registration is currently valid and subsisting, and this registration is incontestable. A true and correct copy of this registration is appended to this Notice of Opposition as Exhibit B.

7. Opposer is the owner of record of United States Registration No. 2835047 of April 20, 2004 (filed December 3, 2001) for the LOGITECH word mark designating “*computer software and instruction manuals packaged as a unit therewith, namely, computer programs for use in connection with image manipulation and computer programs for producing sound, computer programs for controlling images, computer programs for use in connection with image manipulation for digital cameras, computer programs to provide an interface between a personal computer or workstation and peripherals therefore and computer programs for use in computer graphics; computer programs, computer hardware and instruction manuals packaged as a unit therewith, namely, microphones, headsets, headphones, multimedia speakers; computer hardware, computer programs and instruction manuals packaged as a unit therewith for use in connection with electronic transmission of video, audio and data across local area, wide area and global computer networks; computer peripherals and instruction manuals packaged as a*

*unit therewith, namely joysticks, video game controllers, remote controls, keyboards, mice, trackballs and digital cameras; telephony equipment, namely microphones, headsets and headphones” in International Class 9. This registration is currently valid and subsisting. A true and correct copy of this registration is appended to this Notice of Opposition as Exhibit C.*

8. Applicant seeks registration of the mark LOGI TAG for “*transponders, radio frequency identification tags and/or radio frequency identification tag readers; identification devices consisting of an assembly of an electronic circuit and an antenna contained in a housing; transponders mounted on cards and tags made from plastic, paper or cardboard*”.

9. Applicant’s LOGI TAG mark is similar in appearance and sound to Opposer’s LOGITECH mark. The use by Applicant of the LOGI TAG mark is likely to cause confusion, or to cause mistake or to deceive.

10. Furthermore, Applicant’s goods are related to those of Opposer.

11. The LOGI TAG mark should not be registered because its use as a source identifier is likely to cause confusion with Opposer’s LOGITECH Marks as to the source, sponsorship, or affiliation of Applicant’s goods.

12. Contrary to the suggestion created by the use of the LOGI TAG mark, Opposer is neither affiliated with nor a sponsor of Applicant, and the goods identified in the opposed application do not originate from Opposer.

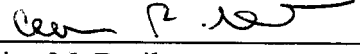
13. The registration of Applicant’s LOGI TAG mark on the Principal Register would be inconsistent with Opposer’s rights under the aforementioned registrations and common law, and it would be damaging to Opposer.

WHEREFORE, Opposer requests that Application Serial No. 77/037,774 be rejected, and that no registration be issued in connection with this application, and that this opposition be sustained in favor of Opposer.

Respectfully submitted,

LOGITECH INTERNATIONAL S.A.

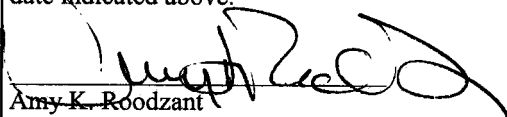
Date: May 27, 2008

By:   
Katherine M. Basile  
Cynthia R. Adwere  
HOWREY LLP  
1950 University Avenue, 4th Floor  
East Palo Alto, CA 94022  
(650) 798-3500  
Attorneys for Opposer

CERTIFICATE OF ELECTRONIC TRANSMISSION

DATE OF DEPOSIT: May 27, 2008

I hereby certify that this correspondence is being transmitted to the United States Patent and Trademark Office Trademark Trial and Appeal Board using the Electronic System for Trademark Trials and Appeals (ESTTA) on the date indicated above.

  
Amy K. Roodzant

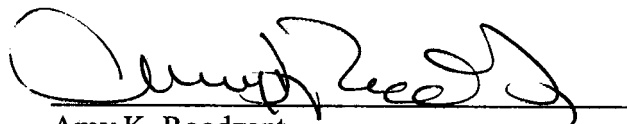


**CERTIFICATE OF SERVICE**

I hereby certify that a true and complete copy of the foregoing Notice of Opposition has been served on Adam D. Siegartel, Proskauer Rose LLP, attorney of record for Assa Abloy Identification Technologies Switzerland S.A. for by mailing said copy on May 27, 2008, via First Class Mail, postage prepaid to:

Adam D. Siegartel, Esq.  
Proskauer Rose LLP  
Trademark File Room  
1585 Broadway  
New York, NY 10036-8299

Dated: May 27, 2008

  
Amy K. Roodzant

# **EXHIBIT A**

Int. Cl.: 9

Prior U.S. Cls.: 26 and 38

**United States Patent and Trademark Office** **Reg. No. 1,969,025**  
Registered Apr. 23, 1996

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**TRADEMARK  
PRINCIPAL REGISTER**

**LOGITECH**

LOGITECH, INC. (CALIFORNIA CORPORATION)  
805 VETERANS BOULEVARD  
REDWOOD CITY, CA 94063

FOR: COMPUTER PERIPHERALS AND  
COMPUTER PROGRAMS, NAMELY ELECTRONIC MICE, ~~COMPUTER-AIDED DESIGN~~  
~~PROGRAMS, HIGH-LEVEL PROGRAMMING~~

~~LANGUAGES~~, AND MANUALS SOLD WITH  
SUCH GOODS AS A UNIT, IN CLASS 9 (U.S.  
CLS. 26 AND 38).

FIRST USE 10-0-1982; IN COMMERCE  
10-0-1982.

SER. NO. 73-669,169, FILED 6-29-1987.

KAREN K. BUSH, EXAMINING ATTORNEY

# **EXHIBIT B**

Int. Cl.: 9

Prior U.S. Cls.: 21, 23, 26, 36 and 38

Reg. No. 2,507,301

United States Patent and Trademark Office

Registered Nov. 13, 2001

Corrected

OG Date Feb. 12, 2008

TRADEMARK  
PRINCIPAL REGISTER



LOGITECH, INC. (CALIFORNIA CORPORATION)

6505 KAISER DRIVE  
FREMONT, CA 94555

OWNER OF U.S. REG. NOS. 1,875,146  
AND 1,969,025.

FOR: ~~COMPUTER PROGRAMS FOR PRODUCING MUSICAL SOUNDS, COMPUTER PROGRAMS FOR USE IN CONNECTION WITH IMAGE MANIPULATION FOR USE WITH DIGITAL CAMERAS, COMPUTER OPERATING PROGRAMS TO PROVIDE AN INTERFACE BETWEEN A PERSONAL COMPUTER OR WORKSTATION OR COMPUTER PERIPHERALS, COMPUTER PROGRAMS, COMPUTER HARDWARE AND INSTRUCTION MANUALS THEREFORE SOLD TOGETHER AS A UNIT FOR USE IN RECORDING, EDITING~~

AND PLAYING INTERACTIVE AND/OR THREE-DIMENSIONAL VIDEOS; COMPUTER HARDWARE, COMPUTER PROGRAMS AND INSTRUCTION MANUALS THEREFORE SOLD TOGETHER AS A UNIT FOR USE IN CONNECTION WITH ELECTRONIC TRANSMISSION OF VIDEO, AUDIO AND DATA ACROSS WIDE AREA AND LOCAL AREA COMPUTER NETWORKS; COMPUTER PERIPHERALS AND INSTRUCTION MANUALS THEREFORE SOLD TOGETHER AS AN UNIT, NAMELY, COMPUTER GAME AND VIDEO GAME JOYSTICKS, VIDEO GAME CONTROLLERS, ~~ELECTRONIC~~ MICE, TRACKBALLS, DIGITAL CAMERAS, IN CLASS 9 (U.S. CLS. 21, 23, 26, 36 AND 38).

FIRST USE 3-3-1997; IN COMMERCE 3-3-1997.

SER. NO. 75-234,528, FILED 1-31-1997.

*In testimony whereof I have hereunto set my hand  
and caused the seal of The Patent and Trademark  
Office to be affixed on Feb. 12, 2008.*

DIRECTOR OF THE U.S. PATENT AND TRADEMARK OFFICE

# EXHIBIT C

**Int. Cl.: 9**

**Prior U.S. Cls.: 21, 23, 26, 36, and 38**

**United States Patent and Trademark Office**

**Reg. No. 2,835,047**

**Registered Apr. 20, 2004**

**TRADEMARK  
PRINCIPAL REGISTER**

**LOGITECH**

LOGITECH INTERNATIONAL S.A. (SWITZER-  
LAND CORPORATION)  
CH 1143, APPLES, SWITZERLAND

FOR: COMPUTER SOFTWARE AND INSTRUCTION MANUALS PACKAGED AS A UNIT THEREWITH, NAMELY, COMPUTER PROGRAMS FOR USE IN CONNECTION WITH IMAGE MANIPULATION AND COMPUTER PROGRAMS FOR PRODUCING SOUND, COMPUTER PROGRAMS FOR CONTROLLING IMAGES, COMPUTER PROGRAMS FOR USE IN CONNECTION WITH IMAGE MANIPULATION FOR DIGITAL CAMERAS, COMPUTER PROGRAMS TO PROVIDE AN INTERFACE BETWEEN A PERSONAL COMPUTER OR WORKSTATION AND PERIPHERALS THEREFORE AND COMPUTER PROGRAMS FOR USE IN COMPUTER GRAPHICS; COMPUTER PROGRAMS, COMPUTER HARDWARE AND INSTRUCTION MANUALS PACKAGED AS A UNIT THEREWITH, NAMELY, MICROPHONES, HEADSETS, HEADPHONES, MULTIMEDIA SPEAKERS; COMPUTER HARDWARE, COMPUTER PROGRAMS AND INSTRUCTION

MANUALS PACKAGED AS A UNIT THEREWITH FOR USE IN CONNECTION WITH ELECTRONIC TRANSMISSION OF VIDEO, AUDIO AND DATA ACROSS LOCAL AREA, WIDE AREA AND GLOBAL COMPUTER NETWORKS; COMPUTER PERIPHERALS AND INSTRUCTION MANUALS PACKAGED AS A UNIT THEREWITH, NAMELY JOYSTICKS, VIDEO GAME CONTROLLERS, REMOTE CONTROLS, KEYBOARDS, MICE, TRACKBALLS AND DIGITAL CAMERAS; TELEPHONY EQUIPMENT, NAMELY MICROPHONES, HEADSETS AND HEADPHONES, IN CLASS 9 (U.S. CLS. 21, 23, 26, 36 AND 38).

FIRST USE 10-0-1982; IN COMMERCE 10-0-1982.

OWNER OF U.S. REG. NOS. 1,969,025 AND 2,506,301.

SN 76-344,616, FILED 12-3-2001.

GLENN CLARK, EXAMINING ATTORNEY